

# **Report on Recent ROK Government Repression of Public Sector Workers and Call for International Solidarity**

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## **\_ 1. Public Sector Workers' Struggle and Government Repression**

1) The Korean Federation of Public Services and Transportation Workers' Unions (KPTU), an affiliate of the Korean Confederation of Trade Unions (KCTU), recently began a struggle against the government plan for privatization of public enterprises and so called 'business rationalization' of public institutions—in other words, the merging of public enterprises and utilities, layoffs and the imposition of productivity and efficiency on public services. Three affiliates of KPTU, the Korean Railway Workers' Union, the Korean Public & Social Service Workers' Union (KPSU)-KoGas Branch, and the Korean Powerplant Workers Union set up a headquarters for coordinated struggle. On October 10<sup>th</sup>, November 6 and November 28<sup>th</sup> they held mass rallies denouncing the government's repression of the public sector.

2) In particular, the management of Korail's unilaterally cancelled the current Collective Bargaining Agreement with the Korean Railway Workers' Union as they prepared for a strike against restructuring on November 26. This was the first time the CBA has been cancelled in 60 years. Unilateral cancellation of CBAs is the worst of unjust labor practices, which has been used with increasing frequency by vicious enterprises in order to incapacitate trade unions. Recently, in many workplaces CBAs have become useless pieces of paper due to the repression of trade union activities by the government. Facing this situation, the Korean Railway Workers Union came out on strike to defend democratic trade unions.

3) The Korea Labor Institute, the head of which is an associate of the President, recently sparked public uproar when he commented that the 3 basic labor rights guaranteed in the Constitution should be abolished. These remarks aroused a massive response from the institute's trade union, which carried out a struggle for more that 100 days. The Instituted then locked its employees out on December 1<sup>st</sup> for the first time in history.

4) The repression of the Korean Government Employees' Union (KGEU) is also beyond comprehension. The government dismissed the newly elected president of KGEU on disciplinary grounds and closed union offices down. However, the three separate government employees unions have come together to form one union and have joined the KCTU.

5) The police conducted a raid on the KGEU office in the Yeongdeungpo area of Seoul, and the two offices of KRWU in the Yongsan area. Arrest warrants have been issued against Kim Ki-tae, the president of KRWU and 15 other leaders of the union. 884 union members have been dismissed. Among other unions, 197 union leaders have been charged with "obstruction of business". The Korail management is about to sue the union and its leaders for compensation for damages, insisting that the strike meant \$ 7.8 million worth of financial losses to Korail. The KRWU already have \$10 billion to pay in damages from previous struggles.

6) On December 3<sup>rd</sup>, KRWU suspended its 8 days strike and went back to work. "I'm asking members to go back to their workplaces for a while and to prepare for our next fight. We have won only half of what we want. We responded to their illegal and senseless act with a reasonable and peaceful strike. However, we will resume our struggle after getting reorganizing and gathering more power," the president of KRWU declared. This means that the union will continue its struggle.

## **2. Backdrop the Government's Repression**

1) The KRWU's strike was "lawful". Previously, it was impossible for unions to conduct a lawful strike under the "compulsory arbitration system." From January 1, 2008, a new evil system, "maintenance of essential services" replaced the "compulsory arbitration system." The ILO gives a strict interpretation to "essential services", in which the right to strike can be restricted from "minimum services" which should be maintained during a labor action. However, the "maintenance of essential services" system was designed with the actual goal of restricting the right to collective action.

2) Nevertheless, the KRWU was conducting its strike abiding by this evil law. In other words, it is clear that this was a legal strike in which 15,000 workers, excluding 10,000 workers in essential services, joined.

3) President Lee Myung-Bak however, is taking the lead in obstructing any discussion between labor and management and incapacitating the union. "The principle must be upheld under all condition. If an exception is made at this time, it could be repeated in the future. No compromise should be made with this union," said President Lee on December 2<sup>nd</sup>.

4) On December 1<sup>st</sup>, lawyers and certified public labor attorneys held a press conference and made clear that the strike conducted by the KRWU is a lawful collective action guaranteed under the Constitution and other laws. They stressed that this strike is lawful in terms of both procedure and aim and the right to collective action including the right strike is a basic right guaranteed in the Constitution. In a nutshell, this strike was the result of the Lee government's blatant disregard of the constitutional value of the 3 basic labor rights and its policy of incapacitating trade unions in public sector. This attitude of the government is also the reason the strike went on for so long.

5) The industrial unrest in the Korail, the Korea Labor Institute and other administrative organs was aggravated by the fact that the government had pushed ahead with restructuring of public institutions unilaterally. The relentless crackdown on trade unions is clear indication of the government's intention to tame the unions.

## **3. Call for International Solidarity and Support**

We are asking for your continued attention to the relentless government crackdown on trade union

rights in the South Korean public sector. Any solidarity action is welcome including sending protest letters to the Korean government or visiting the Korean embassy in your own country.

***The demands of KCTU and its affiliates are as following;***

- Arrest warrants against Kim Ki-tae, the president of KRWU, and 15 other leaders of the union, and all other charges, legal actions and dismissals should be withdrawn. Yoon Jeung-Hyun, the Minister of Strategy and Finance and Yim Tae-hee, the Minister of Labor, who made a special statement calling the lawful strike illegal, should make public apologies. President Lee Myung-Bak must respect the 3 basic labor rights guaranteed by the Korean Constitution and as international labor standards.
- The disciplinary dismissal of Yang Seong-Yoon, the newly elected president of the Korean Government Employees Union should be withdrawn. The government should recognize the KGEU's lawfulness. The government should refrain from any attempt to infringe of the right to association of government employees.
- The unilateral cancellation, suspension or amendment of public sector Collective Bargaining Agreements should be stopped.

□ *Protest letters should be sent to the address below:*

Lee Myung-Bak  
President of the Republic of Korea  
Cheongwadae: 1 Cheongwadae-ro, Jongno-gu  
Seoul, 110-820  
KOREA

E-mail: foreign.president.go.kr  
Fax: +82\_2\_2110\_3079/+82-2-770-4735

□ *For further information, please contact* Bro. Young-Bae Chang, International Secretary of the KPTU, Email: ybchang stepi.re.kr, Jinwon Yoon, Spokesperson of the KGEU, Email:y22k2 hanmail.net, or Sis Mikyung Ryu, International Director of the KCTU, Email:inter kctu.org

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**P.S.**

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